



# Rule Adoption Notification

## Chapter 173-175 WAC – Dam Safety

As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.

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#### Visit:

[www.ecy.wa.gov/programs/wr/dams/dss.html#fees](http://www.ecy.wa.gov/programs/wr/dams/dss.html#fees)

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## Requirements of the rule

The Dam Safety Rules provide for the design, construction, operation, maintenance, inspection, and supervision of dams in a manner consistent with accepted engineering practice. These regulations:

- Designate the types of dams to which regulations are applicable.
- Establish and administer a program for permitting of construction work for new dams and for modifications of existing dams.
- Establish a fee schedule based on dam size that reflects the actual cost to the department of engineering review of plans and specifications and for construction inspections.
- Establish the requirements and owner responsibilities for developing and executing plans for Operation and Maintenance, and Emergency Actions.
- Establish a program for the periodic inspection by the department of existing dams, and a fee schedule for these inspections based on the downstream hazard classification and frequency of inspections. This fee schedule reflects the actual cost to the department.
- Require Ecology to develop and maintain engineering guidelines for the purpose of aiding dam owners and project engineers in developing design reports, construction plans, operation and emergency plans, and conducting dam inspections.

## Summary of the rule changes adopted on August 4, 2004

Ecology has amended the state Dam Safety Rules to include fee increases for plan reviews and construction inspections, and resume the collection of fees for Ecology's periodic inspection of existing dams. Other updates and minor revisions to the rule language were also made.

## Effective September 4, 2004

This amendment to Chapter 173-175 WAC becomes effective on September 4, 2004.

## Appeal procedures

This adoption can be appeal under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email [jthi461@ecy.wa.gov](mailto:jthi461@ecy.wa.gov).

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